IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 9TH OCTOBER 2007 / 17TH ASWINA 1929

WP(C).No. 29026 of 2007(E)

PETITIONERS:

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1. **SHEEBA M.C., D/O.CHERIAN, AGED 18 YEARS, RESIDING AT MEEMBALLI HOUSE, PALAKKAYYAM VILLAGE, MANNARKADU TALUK, PALAKKAD DISTRICT.**

2. **SHEENA M.C., AGED 16 YEARS, D/O.CHERIAN, RESIDING AT MEEMBALLI HOUSE, PALAKKAYYAM VILLAGE, MANNARKADU TALUK, PALAKKAD DISTRICT. REPRESENTED BY HER FATHER AND NEXT FRIEND CHERIAN.**

BY ADV. SRI.T.MADHU

RESPONDENTS:

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1. **THE STATE OF KERALA, REPRESENTED BY ITS SECRETARY, EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.**

2. **THE DISTRICT SCHEDULED CASTE AND SCHEDULED TRIBES DEVELOPMENT OFFICER, PALAKKAD, OFFICE OF THE DISTRICT SCHEDULED CASTE AND SCHEDULED TRIBES, DEVELOPMENT OFFICER, PALAKKAD.**

3. **THE TAHSILDAR, MANNARKKAD TALUK.**

4. **DIRECTOR OF MEDICAL EDUCATION, THIRUVANANTHAPURAM.**

BY SPL.GOVERNMENT PLEADER SRI. P.SANTHOSHKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KSS

ANTONY DOMINIC,J.

W.P (C) No.29026 of 2007

Dated this the 9th October, 2007

J U D G M E N T

Although the petitioner seeks several prayers in the writ petition, the 1st prayer is to declare that the petitioners are entitled to educational benefits available to scheduled tribes as per Exhibit-P3 Government Order. In terms of Exhibit-P3, a child born out of intercaste marriage with the mother belonging to reserved categories is entitled to the benefits which are provided in Exhibit-P3.

2. Learned Government Pleader also does not dispute their entitlement of the benefits as per Exhibit-P3.

3. Accordingly, I direct that the respondents shall extend the benefits in Ext.P3 to the petitioners.

4. Since the father of the petitioners belongs to Christian Community, the prayer sought for by the 1st petitioner for admission to General Nursing and Mid-wifery course conducted by the 4th respondent cannot be granted.

The writ petition is disposed of as above.

(ANTONY DOMINIC, JUDGE)

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K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007